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International Court of Justice

H3114 - 0002

OFFICE OF CHIEF OF COUNSEL FOR WAR CRIMES

EVIDENCE DIVISION

Date : 21 July 1948

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Fred Niebergall

Fred NIEBERGALL
Chief, Document
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H3114 - 0003

C E R T I F I C A T E

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Paul Joosten

Nuremberg, 1 July 1948

PAUL A. JOOSTEN

General Secretary
International Military
Tribunal

H3114 - 0004

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Testimony of GOTTLIEB BERGER, taken at Nuremberg, Germany, on 20 September 1945, 1030 - 1207, by Col. Howard A. Brundage, JAGD, OUSCC. Also present: Siegfried Ramler, Interpreter and Pvt Clair Van Vleck, Court Reporter.

INTERNATIONAL MILITARY TRIBUNAL
NURNBERG, GERMANY
U.S.A. Exhibit 529
Jan. 3, Filed 1946

COLONEL BRUNDAGE TO THE INTERPRETER:

Q Will you state your name?

A Siegfried Ramler.

Q By whom are you employed?

A Office of the U.S. Chief of Counsel.

Q What are your present duties?

A Interpreter.

Q Will you stand, please. Do you solemnly swear that you will truly and accurately translate from German into English and English into German, all of the testimony to be given at this hearing?

A I do, so help me God.

COLONEL BRUNDAGE TO THE WITNESS THROUGH THE INTERPRETER:

Q You are the same Gottlieb Berger, who appeared before me yesterday?

A Yes; I was here yesterday.

Q During 1944, will you tell me what your duties and functions were in connection with prisoners of war?

A Yes. May I first present to you for the record a chart of my chief office, as I mentioned yesterday.

Q Yes.

H3114 - 0005

A I testified under oath yesterday and I do not want to give the impression that I want to keep quiet about anything regarding my office.

Q Let the records show that the witness has presented a hand-written chart, showing the orgmization of the SS Office.

A SS Chief Office.

Q And on the reverse side is the whole organizational frame of the Reichsfuehrer SS Heydrich Himmler.

Was Kaltenbrunner the superior of Pohl?

A No. All these twelve chiefs that I mentioned here were always directly responsible to Himmler.

Q Do you know what the duties and functions of Kaltenbrunner were?

A He was the Chief of the whole Security Police.

Q What did he have to do with concentration camps?

A He was the man who executed orders. He was the last man because Muller was subordinate to him.

Q Then Pohl didn't fit into that chain of command?

A Yes; Pohl did not fit into that chain because the whole organization is not organic. It was a specialty of Himmler to give one task to two different people.

Q Just what did Kaltenbrunner do?

A This is very difficult to answer. He had his service post in Berlin there. The different group chiefs that I have mentioned here,

(BERGER)

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H3114 - 0006

such as Muller, Nabe, I have written it all down, Dr. Schellenberg, they conferred with him daily; and there, in this conference, all the difficulties, shall I say, the more important problems that occurred in the different groups, were discussed and decided upon. Starting early summer 1944, Kaltenbrunner personally conferred with Hitler without having Himmler there. While otherwise, Himmler was always careful to see that none of his men had conferences with the Fuehrer, without his being present too.

Q As Security Police, what were, normally, his duties?

A He was the guarantor of the interior security and order inside Germany.

Q That put him at the head of the Gestapo; is that right?

A Yes. He had all the interior police under him, not only the Gestapo, but also the criminal police and the SD under him.

Q When people were arrested and put into concentration camps, that was done with Kaltenbrunner's men?

A Yes.

Q Did he also have the authority to name the camp in which these men were going to be placed?

A Certainly.

Q Did he also have the authority to issue orders to the commandant of the camp?

A Certainly.

Q He also was superior to the Death-head Guards and, likewise, the civilian employees of the camps?

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H3114 - 0007

A No; that was Glucks. May I add something to this?

Q Yes.

A When I say that he certainly had the right to give orders to the camp commandant, I mean to say that whenever I tried to get somebody out of a concentration camp, I have never been able to do so without the consent of Muller, and that also means Kaltenbrunner.

Q Muller was his direct assistant?

A Yes; directly under him.

Q Assuming, only for the purposes of this discussion, that these atrocities that we hear about are true, who do you think is primarily responsible?

A The first one, the commandant; the second one, Glucks, because he was practically responsible for all the interior direction of the camps. If one wants to be exact, one would have to find out how the information service between the camp commandant and Glucks actually operated. I want to give you the following example; during the night of the 22nd and 23rd of April, I was sent to Munich. As I entered the city by plane, I met a group of perhaps 120 men dressed in the suits of the concentration camps. These people made a very starved impression on me. I asked the guard who was with them: "What about these men." He told me that these men were marching, by foot, to the Alps. Firstly, I sent him back to Dachau. Then I wrote a letter to the commandant, to send no more people by foot to any place, but whenever the Allies advanced any further, to give over the camp completely. I did that on my own responsibility and I told him that I came straight from Berlin

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H3114 - 0008

SECRET

and that I can be found in my service post in Munich. The commandant, or his deputy, telephoned at about twelve o'clock and told me that he had received this order from Kaltenbrunner, after he had been asked by the Gauleiter of Munich, the Reichskommissar. It could be that even Gauleiters, in their nature as Reich Defense Commissars, have directly mixed up in concentration camps and have also given direct orders to the concentration camps.

Q What was the result of this letter that you wrote to the commandant of Dachau?

A Everything went in order for two days, and about on the 28th of April, when I returned from Kesselring, I saw, perhaps, 500 men in terrible condition near Wolfratshausen, 60 kilometers south of Munich. I held them up. At that time they were at an explosive works and I gave the order to the group leader to house the men immediately in the empty barracks that were near the street and to hold up further troops. Igot in touch with the Kreisleiter in Wolfratshausen myself, as I could not get in touch with the Landrat, and he promised me to care for them. He actually kept his promise, as I found out in the following days. In spite of my order to keep the men there, and in spite of the same order that came from Kaltenbrunner, the Reich Defense Commissar said that he supposedly got an order from the Fuehrer, in which it was stated that these camps have to be cleared immediately. There was quite a clear mix-up where the Gauleiter dealt with the things directly.

Q Do you know whether some of the camps were cleared?

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H3114 – 0009

A What happened then, I don't know. Anyway, I can say clearly that against the orders of the Fuehrer, I had forbidden the further clearing of camps and the further marching of prisoners of war. We shall come to that. I succeeded in convincing Reichsfuehrer Himmler, that all the prisoners of war, the Polish prisoners of war that had spent their time in that kind of concentration camp, should be given over and should not march. These camps were right on the German-Dutch border, which must have been reached by the Allies in the first days of April.

Q What is the personality of Kaltenbrunner? What sort of man is he?

A There are a lot of personal things to add here.

Q I just want your opinion as to what kind of a man he is.

A I have known Kaltenbrunner since 1938. At that time he was a lawyer in Linz and when the German troops marched into Austria, the SS was given over to him. He thought of himself as being a great diplomat and he was really disappointed that he only received the SS and the police, but he got used to the new situation in Vienna very nicely. He was externally a very charming and amiable man who looked very well, with only a little disfiguring through his scar. I don't remember the name of the man he succeeded. He did not like to take over the Reich Security Chief Office.

Q He succeeded Heydrich?

A Yes. He took his job over. He said that the tasks of the State Police are not suited to him. He said he was an administration

H3114 - 0010

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lawyer and he was a man for the political service. At that time he would have liked to become the German delegate to Budapest. At the end, I received the impression that he was driven very much by his personal ambition. What I am giving you now is my personal opinion. Does the Colonel like to hear it?

Q Yes.

A In 1941 and 1942, when he came to Berlin, he often visited me and he liked to visit me just for the length of smoking a cigarette or a cigar; and then in 1943, he only came to me very rarely; and in 1944 not at all. Formerly, he quite liked to accept my advice, especially from the side of reason, and later on he did not want to accept that. Unfortunately, he had formed a very close friendship with Bormann. In the end it was Bormann, Febelein, General Burgdorf, who formed a very close circle around Hitler, and it was hardly possible to penetrate the circle by outsiders, especially after the attempt on his life. Fegelein was a Lieutenant General of the Waffen SS. He was the successor of Wolff as being the personal link between Himmler and Hitler. Kaltenbrunner, otherwise, led a very good family life. As far as I cound find out, he was very attached to his children and otherwise he did not come very much out into the foreground in an unpleasant way. I was talking about his awkward nature; it might well be at the end that he started to drink, too. If one of his subordinates did something wrong, and that wrong was reported right up to him, he did not take part for any of them.

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H3114 -0011

Q Do you know whether or not he was connected with any of these atrocities about which you have been talking about?

A No.

Q In your opinion, do you think that he has any responsibility in that direction?

A According to the honorable conception of the SS that I talked about, everybody carries the responsibility of his office. If one does not take this responsibility by saying this, that and this happened under my office, and if one wanted to carry it over to a different office, shift the responsibility on to a different office, according to my opinion he had, anyway, the power to stop it (SIC). All these thousands of men of the Waffen SS, who died courageously, should not be burdened with these things. Two of my boys had fallen who did not know about all these things. I myself did not. May the Colonel excuse this, but my nerves are quite broken down. I am very ill. I am all right now.

Q General, this is a pretty good time to build up a record, which will be of great value to the children who are growing up in this country, so that this terrible disaster won't come upon this country again. I think you know that we Americans are not here to get anything out of this country, but we do feel a responsibility towards the young children that are here, and we are trying to find out who is responsible for things that have almost branded the Germans as a criminal race of people throughout the world.

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H3114 - 0012

A To find out this should not be difficult to do.

Q It is difficult when people come in here and say they don't know anything about these things.

A For ten weeks I was in England in an interrogation camp, Camp Seben, at times there I was excited. Certainly, no one wants to take responsibility any more. Nobody knew anything about anything. They were all fine gentlemen. All we want to know is what was going to happen. That does not relate to me personally but to others. I do not want the Colonel to have the impression that I want to be more favorably treated by these statements. We have been ridiculed by these same gentlemen and now nobody wants to know about anything. In the last weeks it was very difficult to speak to Adolf Hitler and to carry through anything with him. It was possible to carry out something against Adolf Hitler's will, if one was determined to do so, and if one was determined to take the risk to be even shot for not carrying out one of his orders. I even carried through these three matters concerning the prisoners of war. All of those quite were against the orders given.

Q I don't know what you mean by that. Will you explain that?

A We started from the point where the Colonel said that all these people who had come here, suddenly didn't know about that which was going on and in doing that they put all guilt either on Adolf Hitler or those who are already dead, which is a very indecent and not an honorable thing to do. That is why I said that whenever Adolf Hitler

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H3114-0013

gave an order, and one was of a different opinion, and one simply said, "I cannot execute this order and I do not want to do it", then he acce ded to it, anyway, in the matter of prisoners of war, and he actually let me deal according to my wish, and as I have actually done. One had to be prepared, however, which I want to repeat, that one might be shot is that clear?

Q What do you think about Kaltenbrunner coming in here and saying that he was only in a concentration camp twice in his whole official tour of duty?

A If that is true, I think this is a great failing of his duty, a very great failure, because he had to deal with the thing and at the time he had to deal with concentration camps, when he succeeded Heydrich, then traveling in Germany was possible in every way and it only started getting difficult, starting from December or January, 1944 and 1945.

Q Ribbentrop told me that he didn't know anything that was going on inside Germany, that he was concerned only with external affairs.

A Judging about Herr von Ribbentrop, I just want you to take into account that I hate this man. I hate him, because he was the man, who was guilty and he arranged it so that we could not come into any agreement with the West. It is impossible that he, who is so much on top, does not know anything about it. In one case, which I don't know quite exactly any more, he was told about some different things by a foreign delegate. I don't know who it was. Was it the Finnish delegate, Kivinecke? At that time I was interested in these matters, but

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H3114 - 0014

Himmler told me not to deal in it. Was it in Germany or was it in Theresienstadt? Some things occurred which were not correct. Apart from that, the foreign press wrote so much about it, all these press articles were at his disposal. They were not at our disposal.

Q His story is that he was for peace, was always against war, and that he was trying to settle everything through diplomatic channels.

A As far as I know about it, the exact opposite is true. It is possible that I am mistaken. I have in my knowledge, from my son-in-law, who was in Rumania and who has fallen since then, and from various friends of mine that I had all over Europe, even in those countries that were not on a friendly basis with us, and as I know many of these exactly -- how shall I express myself? I can take the opinions of these men as being my own opinion too. One of these who has been in Russia for years showed, on one of these conferences, Ribbentrop as the biggest criminal of Germany. He was a foreigner.

Q Well, there are many people that agree with that, but there is a big difference between believing that and proving it.

A If you speak to the gentlemen of the Foreign Office, and I have already spoken to them, they were of my opinon too. Then I concluded from the interrogations in England, that the Englishmen know quite a lot about these things. Now we are entering the political sphere and I don't know whether that is right.

Q Do you base this opinion you have about Ribbentrop on any facts that you actually know of your own knowledge?

H3114 – 0015

A It should have been possible to end the war in the year of 1940. I concluded this from notes in the papers of Heinrich Himmler, which were noted down, being different expressions of Hitler, regarding this matter of war with Russia, and which I had to burn according to orders of the 1st of May. This is why I cannot present them. The Colonel has to believe that on my faith.

Q What did these notes contain?

A Himmler had a peculiarity to note down, or let somebody else note down, all expressions of the Fuehrer on different points of views. Out of these notes, I concluded that Hitler was quite sure, when clearing up the Polish situation, that he knew then that England could not look on any longer. Further, I had the impression that he suffered greatly by having given the word to the world that he will take no forcible measures in the future and not keeping his word. In the year of 1940, peace feelers must have come from both sides, which might have perhaps given the Corridor to Germany, but otherwise would not have touched the rest of Poland, and this would be as payment for damages, and the foreigners maintain now that Ribbentrop has avoided this solution by giving false presentations and giving false opinions.

Q What foreigners?

A Norwegians.

Q You know Ciano of Italy had a diary, and in that diary he said he had talked with Ribbentrop and he asked Ribbentrop, "What do you want? Do you want Danzig or the Corridor?"

And Ribbentrop replied, "We want more than that; we want war."

H3114 - 0016

That statement was published in the newspapers when they published this diary. However, Ribbentrop denies that he ever said that and said that he always wanted peace. Ribbentrop also says that when the German army marched into Poland, that he told Hitler that that meant war with England and France.

A That was obvious. This wasn't hard to tell. Every simple man knew that, but if he knew that exactly, he should have seen that no troops marched in, in the first place.

Q He says that Hitler withdrew his order and then they tried to negotiate further and then a week later they marched in.

A I believe that that is not quite right. Now, I come to something which I am quite sure about. Admiral Canaris had an agent in the Polish Foreign Ministry and there were confidential conferences between the American delegates and the Polish, which came to the knowledge of Adolf Hitler. Ribbentrop should have seen that this information did not reach Adolf Hitler because he should have known him well enough, not to let him see the situation as it was. This would make the whole situation far more difficult. Perhaps he would say he did not know about it; that I don't know, but what I have said now is correct.

Q What was the information that Admiral Canaris got?

A That I do not know exactly. The contents were that "Poland will not give way under any circumstances. We stand behind you". This should have been a personal conference between the Foreign Minister and delegate.

Q That is about what Ribbentrop says about the matter too. He

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H3114 - 0017

says that the Poles got very stiff after England made an agreement with them. So he puts all the blame for that on Hitler.

A In the eyes of these people, that man is guilty for everything anyway, but why has he been the Foreign Minister? There is no man, who, if he has a firm opinion put forward against any of the actions that he proposes and if he is continually being told that these things won't work, who will continually be of the same mind. The result being brought forward now is really a wrong picture of Adolf Hitler. I haven't spoken to him from the year 1932 until 1944, which is over twelve years, but after the attempt on his life, that is, between September and October, one could speak to him a little, but one would have to be prepared that he got very excited and shouted at one. Other people too told me, for instance, Speer, that he had eventold uncomfortable things to Hitler which he took very quietly and he then actually acce ded to his proposals.

Q Ribbentrop says that he has always been opposed to the treatment of the Jews and the action against the churches.

A There I can neither say yes nor no. I have no insight into that.

Q That was logical, because it interfered with his foreign policy.

A Yes.

Q Do you know of any concrete facts that would convince you that Ribbentrop is the biggest criminal of all?

H3114 - 0018

A No; I cannot prove that in black and white, but I have the impression that England can do it and that officials of the Foreign Office, who had proposals for a peace, that they could testify that Ribbentrop has avoided this action.

Q Who do you mean? Do you mean Bohle?

A Whether Bohle had something to do with it, I don't know. I believe it was being spoken that the delegate Albrecht might know something about it. I do not know about the interior affairs of the Foreign Office.

Q What would you think if General Wolff was to tell you that he had only been to three concentration camps during all of the time that he was in the SS service?

A I cannot believe it very well, because Himmler visited concentration camps very often in former days, but I must say, however - that is what I heard from people from the concentration camps - that he was always for mild action and wherever he found any harshness, he stopped it. At that time he was still Adjutant. Himmler was very seldom away from Wolff, who was with him, and this only became different when the Russian campaign started, when he was in East Prussia in the same camp as Hitler.

Q He says he went to Dachau once when they had the high altitude experiments on the immates.

A You see that is something that we from the Waffen SS did not know at all. Naturally, it looks very stupid if one says something like this in such a position. You can pick out any leader of the Waffen SS, whomever you like, and not one of them will know anything

H3114 - 0019

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about it, and I am sure that many of the boys that have come back will reproach me and will say, "You have been our father in former times". They always came to me with all their worries, to me alone. "You have been in the Reich, why didn't you act? Why haven't you worried about it?"

Q That is a pretty good question, isn't it?

A That is a very difficult question.

Q How do you intend to answer it?

A I cannot answer it. Perhaps I should have taken a hand in these matters too, but there was such a strong dividing line between the different departments, it would have only resulted in quarrels and fights.

Q Do you know Julius Streicher?

A No. I have seen him once in the year 1932 in Gera Bronn. He spoke at Gera Bronn. In Wurttenburg they didn't allow his speeches and his affairs.

Q I wish you would give some thought to what was in these Himmler notes that you burned and make some memoranda of that, plus any other things that you think would be of importance or if interesting, particularly, concerning anything that has anything to do with the leaders of this government; and then we will discuss that in our next meeting.

A I have here five notebooks which I gave over to you here. I have really written them for the benefit of my boys. I did not know that things would come to such a quick end. Perhaps somebody can decipher them or otherwise I might be prepared to dictate them to somebody

SECRET 093165

H3114 - 0020

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that has a typewriter. If this was translated, or if somebody would strike out the more important things and show them to me, I would be able to tell you exactly what is required and I will be able to tell you more about it. I have only one request: I do not want this testimony, which I am making under oath here, to be published in any paper. I have come into a very bad light owing to a different matter before, when I had to bury different currencies, Swiss, French, English and so on, and there was one million of German money too and we buried it. I was then asked whether I knew anything about the currency and I said "Yes" and I showed them exactly the place and I gave it over. That has been falsely represented in the papers.

Q I am interested in the aggressive warfare that was carried on by the Germans during the period of 1933 to 1939. Then, I am interested in the methods used to obtain a rigid internal control; in any acts of fraud or deceit that there were practiced, either on the German people or on other peoples; the planned action that was taken against races and against religions, and other matters that have led to the commission of an atrocity.

That will be all.

APPROVED:

INTERROGATOR

Siegfried Ramler
INTERPRETER

COURT REPORTER

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H3114 - 0021

H3114-0022

16 pages